

Remarks

The claims:

In this supplemental Amendment, the claims are further amended by canceling the previously withdrawn claims 28-35. In a discussion with the Examiner, the Examiner indicated that it would not be possible to rejoin the withdrawn claims at a later date. Therefore, the claims are cancelled in this supplemental Amendment. The Examiner stated that it would be acceptable to cancel the withdrawn claims at this time.

Discussion of Additional Claims Fees

In regard to additional claims fees due, Applicant submits the following: When the Notice Requiring Excess Claim Fees was received, Applicant telephoned the Technical Support Staff and discussed the notice. Since there is no evidence that the credit card was charged in relation to that interaction, Applicant resubmits a PTO 2038 to ensure that the additional claims fee concern has been completely resolved.

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Applicant respectfully does not concur with the calculation of fees set forth in the Notice. Further, the withdrawn claims have now been cancelled, which further affects the fees due. The present calculations take into consideration cancellation of the withdrawn claims. The present calculations are compared to the Notice as follows:

| | Applicant Maintains | PTO Maintains |
|--|---|-----------------------|
| Total claims | 29 | 37 |
| Claims paid for 11/16/2005 | 3 claims in excess of 20 1 independent claim | |
| Extra claims paid for | 3 | 3 |
| Independent claims paid for | 4 | 4 |
| Independent claims currently in the application: 4 | | |
| Claims in excess of 20: 9 – 3 already paid = 6 need to be paid | | |
| Additional claim fees due | (6) * (\$50) = \$300 | (14) * (\$50) = \$700 |
| Additional independent claims | (0) | (2) * (\$200) = \$400 |
| Total due | \$300 | \$1,100 |

Thus, \$300 is now due, NOT \$1,110, as per the Notice Requiring Excess Claim fees.

Applicant is hereby faxing this correction in further response to the discussion with the Technical Support Staff that occurred in December, 2005.

To remind the Examiner of the reason for the current submission:

At the beginning of this application's examination, the Examiner performed a search based upon the original claims. From the first office action to the present, Hull has been the primary reference cited against the present invention. Other references were

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cited in combination with Hull. Claims were cancelled, amended, and an election was required because of the original and subsequent searches performed by the Examiner, but Hull remained the primary reference cited against this application, with other art cited in combination with Hull.

In reviewing the pertinent priority date for the present application and previously cited art, it is noted that the present application appropriately claims priority of German Patent Application DE 199 33 248.7, filed on July 15, 1999.

Hull was filed on March 1, 2000. Therefore, Hull is NOT prior art.

Foreign priority was claimed on the basis of DE 199 33 248.7 in the originally filed Inventors' Declaration. DE 199 33 248.7 was also acknowledged as prior art in the filing receipt for the present application. Applicant has amended the specification to refer to the German priority Patent Application in the preamble of the specification.

Applicant's attorney had a discussion with the Examiner regarding the priority date of the present application in comparison with Hull, and the Examiner stated that Hull was rightfully considered prior art because Applicant did not perfect the priority claim by submitting a certified priority document for DE 199 33 248.7. Applicant requested a certified priority document from the German Patent Office, but it was not available until the beginning of January, 2006. Applicant hereby submits the certified priority document and certified literal translation into English.

Applicant respectfully maintains that the claims should now be allowable, because the initial search revealed Hull as the primary rejection and other art in combination with Hull. It would not be reasonable for the Examiner to conduct a new search based on the claims, because the Examiner has already conducted numerous
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searches in relation to the claims and cited the prior art references upon which rejection of the claims was based. Further, during the course of examination, the claims continued to be rejected primarily on the basis of Hull or in combination with Hull, after searches were performed.

The claims have been amended, cancelled, and withdrawn from consideration by election through-out the course of this examination procedure when making amendments to the claims and presenting arguments to overcome Hull as the primary reference. Applicant respectfully believes that the claims currently under examination have been unnecessarily altered to deal with prior art that was not even prior art.

New claims 43 through 56 are substantially the original claims, with the following changes: In claim 43, "wherein the mounting (15, 115) comprises" has been deleted and replaced with the word "and" (line 5). Also, claims 2 and 15 have been cancelled.

With Hull no longer prior art, it is respectfully believed that the claims of the present application should be allowable, and no new search should be conducted.

Wherefore, further consideration and allowance of the claims without a new search is requested with this submission of the Certified Priority Document, with a certified English translation. The certified priority document and translation are submitted by first class mail, as it is not possible to fax the priority document. However, a courtesy copy of the cover sheet of the priority document and certified translation are faxed to (571) 273 8300 and (571) 273 2318 at the same time as this first class mailing, so that the Examiner may have the certified translation available for review.

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Note to Technical Support Staff: PTO-2038 authorizing credit card payment for the amount of \$300 is enclosed for the prescribed Large Entity additional claims fees. A duplicate of this PTO-2038 is included in the first class mailing, but it is intended that the fees be paid with this faxed submission.

Respectfully submitted,



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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 11, 2006.



M. Robert Kestenbaum

Note: I hereby certify that, in addition to the first class mailing, the Certified priority document cover sheet and certified literal translation are faxed with this Supplemental Amendment on 01/11/2006, fax number (571) 273 8300 and the Examiner's fax number (571) 273-2318.



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